

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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DOC#:
DATE FILED: 12/8/2020**

GLYNNIS WYNN and KATELYNN
EDGERLY, *individually and on behalf of all
others similarly situated,*

Plaintiffs,

v.

TOPCO ASSOCIATES, LLC,

Defendant.

No. 19-CV-11104 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

No later than December 18, 2020, the parties are directed to submit supplemental letter briefs of no greater than seven single-spaced pages, on the following questions:

Separate and apart from Plaintiffs' claims concerning the word "Vanilla" on the front of the product, (1) Have Plaintiffs sufficiently alleged that the ingredient list, *on its own*, is misleading to a reasonable consumer? (2) Does federal law preempt Plaintiffs' claims with respect to the ingredient list itself?

It is further ordered that, on December 22, 2020, at 11:30 a.m., the parties are directed to appear by telephone for oral argument on these questions and any other issues the parties wish to raise. To access the conference, the parties shall use the following information: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public.

Should counsel for either party be unavailable at that time, the parties are directed to meet and confer and propose alternative dates and times, either before December 22 or as soon thereafter as is feasible.

SO ORDERED.

Dated: December 8, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is positioned above a horizontal line.

Ronnie Abrams
United States District Judge